

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PHYSICIANS HEALTHSOURCE, INC., an)
Ohio corporation, individually and on behalf of)
all others similarly situated,)
Plaintiff,)
)
v.) Case No. 4:15-CV-664-JAR
)
EXPRESS SCRIPTS, INC., et al.,)
Defendants.)
)

MEMORANDUM AND ORDER

This matter is before the Court on attorney Brian J. Wanca's motion for admission pro hac vice pursuant to Rule 12.01(E) of the Local Rules of the United States District Court for Eastern District of Missouri. (Doc. No. 13) This rule provides in pertinent part:

An attorney who is not regularly admitted to the bar of this Court, but who is a member in good standing of the bar of the highest Court of any state or the District of Columbia, may be admitted pro hac vice for the limited purpose of appearing in a specific action. Unless allowed by a judge for good cause, an attorney may not be granted admission pro hac vice if the applicant resides in the Eastern District of Missouri, is regularly employed in the Eastern District of Missouri, or is regularly engaged in the practice of law in the Eastern District of Missouri.

E.D. Mo. L.R. 12.01(E) (emphasis added).

Mr. Wanca's motion for pro hac vice admission states that he is not regularly engaged in the practice of law in this district. The Court is aware, however, that Mr. Wanca has appeared as counsel in at least eight other active cases in this district, in addition to the instant matter. The cases are:

1. 4:11-CV-1193 HEA, St. Louis Heart Center, Inc. v. Jackson & Coker Locumtenens, LLC
2. 4:14-CV-1121 HEA, Zimmer v. Integrated Pain Management
3. 4:15-CV-592 NAB, Presswood v. Pernix Therapeutics Holdings et al.
4. 4:14-CV-1170 AGF, Douglas Phillip Brust, D.C., P.C. v. Orthopedic Pharmaceuticals, Inc.
5. 4:12-CV-174 CDP, St. Louis Heart Center, Inc. v. Vein Centers for Excellence, Inc.
6. 4:14CV472 CDP, Geismann v. ZocDoc, Inc.
7. 4:15CV517 RLW, St. Louis Heart Center, Inc. v. Nomax, Inc., et al.
8. 4:14CV1538 RLW, Geismann v. American Homepatient, Inc.

The Court believes that with this frequency of appearance, Mr. Wanca is regularly employed in this district and therefore is not eligible for pro hac vice admission. Mr. Wanca will be ordered to, within seven (7) days of the date of this order, either (1) file a verified statement that he will submit an application for admission to practice before this Court pursuant to Local Rule 12.01(C) no later than May 15, 2015, or (2) seek leave to withdraw his entry of appearance in this case. If Mr. Wanca files a statement that he will seek admission to the bar of this Court, the Court will grant the motion for admission pro hac vice to permit interim admission for purposes of this case.

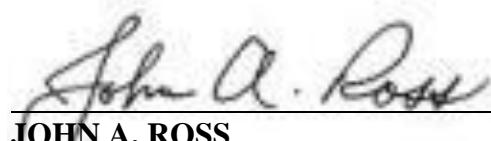
Accordingly,

IT IS HEREBY ORDERED that attorney Brian J. Wanca shall, by **April 30, 2015**, either (1) file a verified statement that he will submit an application for admission to practice before this Court pursuant to Local Rule 12.01(C) by **May 15, 2015**, or (2) seek leave to withdraw his entry of appearance in this case.

IT IS FURTHER ORDERED that the motion for pro hac vice admission filed by Mr. Wanca remains pending.

IT IS FURTHER ORDERED that if Mr. Wanca elects to seek leave to withdraw his entry of appearance in this case, he shall attach a copy of this order to any future motions for admission pro hac vice that he files in this district.

Dated this 23rd day of April, 2015.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE